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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/934,549	08/23/2001	Lin Cheng	TS01-285	9167

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EXAMINER

TRAN, HANH VAN

ART UNIT	PAPER NUMBER
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3637

DATE MAILED: 07/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/934,549	Applicant(s) CHENG, LIN	
	Examiner Hanh V. Tran	Art Unit 3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is the Final Office Action from the examiner in charge of this application in response to applicant's amendment dated 2/19/2003.

Drawings

2. The drawing was received on 2/19/2003. This drawing is figure 1.

3. The drawings are objected to under 37 CFR 1.83(a) because they fail to show the cushioning units in the dividers as described in the specification. Although the drawing does designate numeral 30 as a cushioning unit, one skilled in the art cannot recognize and the other box support units fail to show the cushioning units. Applicant is reminded that any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet"

pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

4. Claims 1-3 are objected to because of the following informalities: claim 1, line 44, "said left and right surface" should be "said left and right surfaces". Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The limitation "said component box" lacks antecedent basis.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.

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2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

9. Claims 1-2, and 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over USP 4,999,671 to Iizuka in view of Germany 4,330,434 to Nolke and Germany 3,917,874 to Seibert et al.

Iizuka discloses a component transport cart comprising all the elements recited in the above listed claims including (1) a lower portion having wheels attached to a lower surface, (2) an upper portion comprising a front surface, a back surface, left and right side surfaces, a top surface, and a bottom surface, (3) at least one row of component support units being mounted in a place, (4) cushioning units 23,25 arranged over the surface of the component support units, (5) shock absorbers being mounted between the wheels and the bottom surface of the upper portion. The differences being that Iizuka does not disclose (1) a platform having first and second surfaces, the wheels being attached to the first surface of the platform, (2) shock absorbers being mounted on the second surface of the platform, (3) upper portion dividers provided in a plane parallel with a plane of said Y-Z axis, (4) a set of sliding doors mounted in a plane of the front surface, and (5) the method steps recited in claims 4-7.

Nolke discloses a component transport cart comprising a lower portion having a platform 11, such as shown in Fig 1, having first and second surfaces, wheels 2 attached to the first surface of the platform 11, an upper portion 1 detachably placed on top of the platform in order to provide a component transport cart having separate upper portion and lower portion. Therefore, it would have been obvious to modify the structure

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of lizuka by providing a platform having first and second surfaces, with the wheels attached to the first surface, and the upper portion detachably placed on top of the platform in order to provide a component transport cart having separate upper and lower portions, as taught by Nolke, since both teach alternate conventional component transport cart structure, thereby providing structure as claimed.

In regard to the shock absorbers being mounted on the second surface of the platform, it is inherent that the shock absorbers of lizuka, as modified by Nolke, would be mounted on the second surface of the platform.

Seibert et al discloses a component transport cart comprising a plurality of rows of components support units, upper portion dividers provided therein to provide multiple compartments, with adjacent rows of component support units being separated by a measurable distance, such as shown in the figure, in order to increase the number of components supported therein. Therefore, it would have been obvious to modify the structure of lizuka, as modified, by providing comprising a plurality of rows of components support units, upper portion dividers provided therein to provide multiple compartments, with adjacent rows of component support units being separated by a measurable distance, in order to increase the number of components supported therein, as taught by Seibert et al, since both teach alternate conventional component transport cart structure, thereby providing structure as claimed.

Further in regard to (4) cushioning units arranged over the surface of the component supports, it would have been obvious and well within the level of one skill in the art to provide cushioning units over the surface of the component supports in order

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to provide additional cushioning to the components during transporting. In regard to a set of sliding doors mounted in a plane of the front surface, it would have been obvious and well within the level of one skill in the art to modify the structure of lizuka, as modified, by replacing the pivotal door with a set of sliding doors mounted in a plane of the front surface in order to allow access to contents of the housing without having to pivot the door into the opening position.

In regard to (5) the method steps recited in claims 4-7, it would have been obvious that based on the structure of lizuka, as modified, one skill in the art would be able to perform the method steps recited in said method claims.

10. Claims 3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over lizuka, as modified, as applied to claims 1 and 4 above, and further in view of USP 6,421,113 to Armentrout.

lizuka, as modified, discloses all the elements as discussed above except for clearly stated the component cart being created using anti-Electro Static Discharge materials.

Armentrout teaches that it is well known in the recticle carrier to manufacture the recticle carrier using anti-Electro Static Discharge materials in order to prevent ESD damage to the recticle. Therefore, it would have been obvious to modify the structure of lizuka, as modified, by having the component cart being created using anti-Electro Static Discharge materials in order to prevent ESD damage to the recticle, as taught by Armentrout, since both teach alternate conventional recticle carrier structure, used for the same intended purpose, thereby providing structure as claimed.

Response to Arguments

11. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Spitzer et al, and Dinverno all show structures similar to various elements of applicant's disclosure.

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh V. Tran whose telephone number is (571) 272-

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6868. The examiner can normally be reached on Monday-Thursday, and alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HVT *HVT*
July 24, 2005

LANNA MAI
SUPERVISORY PATENT EXAMINER
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